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7 *Charles Sasser*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 G. CLINTON MERRICK, JR., an individual,
11 Plaintiff,

12 v.

13 CHARLES SASSER, an individual,
14 Defendant.

15 CHARLES SASSER, an individual,
16 Counterclaimant,

17 v.

18 G. CLINTON MERRICK, JR., an individual,
19 Counterdefendant.
20

Case No.: 2:10-cv-00807-JCM-LRL

DEFENDANT/COUNTERCLAIMANT
CHARLES SASSER'S MOTION FOR
LEAVE TO FILE ADDENDUM (WITH
EXHIBITS) UNDER SEAL

21 Pursuant to Local Rule 10-5, defendant/counterclaimant Charles Sasser moves for leave to
22 file under seal an addendum. (*See* Doc. 38.) This addendum contains information regarding
23 plaintiff/counterdefendant G. Clinton Merrick, Jr.'s settlement agreement with Paul Revere and
24 Unum Provident, defendants in United States District Court for the District of Nevada Case No. 2:00-
25 cv-00731. Sasser is informed that this settlement agreement contains a confidentiality provision that
26 appears to preclude the parties and their counsel from disclosing information relating to the settlement
27 in public court records. Sasser has agreed, in this action, to abide by this confidentiality provision,
28 subject to his ability to seek relief, as may be necessary, from this Court.

1 The amount of the settlement in the Paul Revere Case, as well as the amount of Sasser's share
 2 of the contingent fee, which is currently being held in the trust account of attorney Julie Mersch, one
 3 of Sasser's co-counsel in the Paul Revere Case, pending the outcome of this action, is clearly relevant
 4 to this action generally and, more specifically, to his simultaneously-filed motion for summary
 5 judgment. As a result of the confidentiality provision, however, neither the settlement amount nor the
 6 amount of Sasser's escrowed contingent fee have been disclosed in Sasser's motion or exhibits
 7 thereto. Instead, Sasser requests leave to file the attached addendum under seal. The addendum,
 8 which is for the Court's consideration in connection with the Court's disposition of Sasser's motion,
 9 discloses both the settlement amount reached in the Paul Revere Case and the amount held in Ms.
 10 Mersch's trust account representing Sasser's share of the contingent fee. Accordingly, this
 11 information is provisionally filed under seal, as required by Local Rule 10-5.

12 DATED this 9th day of September, 2011.

13 LEWIS AND ROCA, LLP

14 *By: Thomas G. Ryan*

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22 *Charles Sasser*

23 IT IS SO ORDERED.

24 *L. J. Leavitt*

25 UNITED STATES MAGISTRATE JUDGE

26 DATED: 9-23-11

CERTIFICATE OF SERVICE

I hereby certify that I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant:

Scott A. Flinders
David W. Gutke
Peccole Professional Park
10080 W. Alta Drive, Suite 200
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DATED this 9th day of September, 2011.


An Employee of Lewis and Roca LLP